S.B. Civil Misc. Stay Application No.692/2005
In
S.B. Civil Second Appeal No.132 Of 2005.
State of Rajasthan & Others Vs. Smt.Bimala

Date Of Order ::: 24.11.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Ms. Nirmala Sharma, Add.G.A., for appellant
Mr. R.S. Agarwal &
Mr. Hem Singh, Counsel for respondent

By the Court :

Heard learned counsel for both the parties on the stay application.

Learned counsel for the State submits that there is an allegation against the plaintiff-respondent to commit the murder of her husband Har Lal Singh and further that this appeal has already been admitted, therefore, the judgment and decree passed by the both the Courts below be stayed during the pendency of the second appeal.

Learned counsel for the plaintiff-respondent submits that both the Courts below have decreed the

suit of the plaintiff, therefore, the interim order should not be passed.

After considering the peculiar facts and circumstances of the of the present case, I allow this stay application and stay the judgment and decree passed by both the Courts below during the pendency of the second appeal.

The stay application stands allowed.

(Narendra Kumar Jain) J.